

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

**ORDER APPROVING TRUSTEE’S MOTION TO AFFIRM HIS DETERMINATIONS
DENYING CLAIMS OF CLAIMANTS HOLDING INTERESTS IN THE ARTICLE
THIRD TRUST, PALMER FAMILY TRUST, MAGGIE FAUSTIN, ESTATE OF
THEODORE SCHWARTZ, AND MILLER TRUST PARTNERSHIP**

Upon consideration of the Trustee’s Motion And Memorandum To Affirm His Determination Denying Claims Of Claimants Holding Interests In The Article Third Trust, Palmer Family Trust, Maggie Faustin, Estate of Theodore Schwartz, and Miller Trust Partnership (the “Motion”)¹ (ECF No. 12947), dated March 21, 2016, filed by Irving H. Picard, as trustee (“Trustee”) for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff (“Madoff”), and it appearing that due and proper notice of the Motion and the relief requested therein have been given, and opposition to the Motion, Objection to Trustee’s Determination of Claims filed by Marjory Cajoux on behalf of Marie Elsie Joseph, Ronald Joseph (ECF No. 13076) dated April 11, 2016 (the

¹ All capitalized terms not defined herein shall have the meaning ascribed in the Motion.

“Objection”); and upon consideration of the Trustee’s Notice of Partial Withdrawal of Motion as to the claim and objections filed by Ronald Joseph and Marie Elsie Joseph (ECF No. 13134), dated April 19, 2016 (the “Partial Withdrawal of Motion”); and Notice of Withdrawal of Objection to Trustee’s Motion filed by Amy Vanderwal on behalf of Marie Elsie Joseph, Ronald Joseph (ECF No. 13142) dated April 21, 2016 (the “Withdrawal of the Objection”); and no other or further notice needs to be given; and the Court having reviewed the Motion, the Declarations of Stephanie Ackerman and Vineet Sehgal, the objection to claims determinations, the Objection, the Partial Withdrawal of the Motion, and the Withdrawal of the Objection; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein, and after due deliberation and sufficient cause appearing therefor, **IT IS HEREBY:**

ORDERED, that the relief requested in the Motion is hereby granted to the extent set forth herein; and it is further

ORDERED, that the Trustee’s denial of the customer claims listed on Exhibit 2 annexed to the supporting Declaration of Vineet Sehgal updated in accordance with the Partial Withdrawal of the Motion, a copy of which updated Exhibit is attached hereto, is affirmed, and such claims are disallowed; and it is further

ORDERED, that the objections to the Trustee’s determinations listed on Exhibit 2 annexed to the supporting Declaration of Vineet Sehgal updated in accordance with the Partial Withdrawal of the Motion, a copy of which updated Exhibit is attached hereto, are overruled; and it is further

ORDERED, that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: New York, New York
April 26th, 2016

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE